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EXAMINER

JACOBS, LASHONDA T

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 11/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/602,490

Applicant(s)

KRAFT, REINER

Examiner

LaShonda T. Jacobs

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

This Office Action is in response to Applicant's Amendment filed on August 22, 2003. Claims 1-23 are presented for further examination.

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims **1, 3-4, 7-8, 14, 16-17, 20 and 22-23** are rejected under 35 U.S.C. 102(e) as being anticipated by Gongwer (hereinafter, "Gongwer", 6,138,120).

As per claims **1** and **22**, Gongwer discloses a method and computer readable medium of sharing queries in a hub-processing unit coupled to a plurality of information processing unites over a network, the method on the information-processing unit comprising the steps of:

- receiving a string from a first user (col. 1, lines 45-67 and col. 2, lines 1-18);
- determining if the string is a query, if the string is a query performing the sub-steps of (col. 1, lines 45-67 and col. 2, lines 1-18):
  - a. storing the query in an information processing unit (col. 3, lines 36-55); and

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b. forwarding the query to a hub processing unit in the event that the first user selects a query for sharing with a second user connected to the hub processing unit (col. 9, lines 60-67, col. 10, lines 10-25, col. 11, lines 58-67 and col. 12).

As per claim **14**, Gongwer discloses a client information-processing unit coupled via a network with a hub processing unit apparatus for sharing queries comprising:

- an input for receiving a string from a first user (col. 1, lines 45-67 and col. 2, lines 1-18);
- a comparator for determining if the string is a query (col. 1, lines 45-67 and col. 2, lines 2, lines 1-18);
- an interface for storing the query in an information processing unit memory (col. 1, lines 45-67 and col. 2, lines 2, lines 1-18); and
- an output for forwarding the query to a hub processing unit in the event that the first user selects a query for sharing (col. 9, lines 60-67, col. 10, lines 10-25, col. 11, lines 58-67 and col. 12).

As per claim **3** and **16**, Gongwer discloses:

- wherein the sub-step of forwarding further includes the sub-step of receiving from the user, a selection of a query from the received string that has been shown to be a query (col. 1, lines 45-67 and col. 2, lines 1-18).

As per claims **4** and **17**, Gongwer discloses:

- wherein the determining step further includes the sub-step of analyzing the string for a particular character or characters to determine if the string is a query (col. 1, lines 45-67 and col. 2, lines 1-18).

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As per claims 7 and 20, Gongwer discloses:

- wherein the storing sub-step further includes storing the query in an information processing unit wherein the storing is temporary or permanent storage (col. 3, lines 36-55).

As per claim 8, Gongwer further discloses:

- a step of repetitively processing incoming strings as long as strings are received from the user (col. 1, lines 45-67 and col. 2, lines 1-18).

As per claim 23, Gongwer discloses a computer readable medium further comprising:

- instructions for selective sharing URLs (col. 1, lines 45-67, col. 2, lines 1-18 col. 9, lines 60-67, col. 10, lines 10-25, col. 11, lines 58-67 and col. 12).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2, 5-6, 15, and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gongwer in view of Cullis.

As per claims 2 and 15, Gongwer discloses the invention substantially as claimed.

However, Gongwer does not explicitly disclose:

- wherein the sub-step of forwarding further includes the sub-step of receiving from the user, a selection of a query from a query history list.

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Cullis discloses a method of organizing articles available over the Internet including:

- wherein the sub-step of forwarding further includes the sub-step of receiving from the user, a selection of a query from a query history list (col. 5, lines 66-67 and col. 6, lines 1-14).

Given the teaching of Cullis, it would have been obvious to one of ordinary skill in the art to modify Gongwer by allowing a user to select previous queries from other clients in order to review the search results (articles) and choose articles ranked according to the searching activity of other clients.

As per claims 5 and 18, Gongwer discloses the invention substantially as claimed.

However, Gongwer does not explicitly disclose:

- wherein the sub-step of forwarding further comprises the sub-step of appending additional information from the user to the shared query.

Cullis discloses a method of organizing articles available over the Internet including:

- wherein the sub-step of forwarding further comprises the sub-step of appending additional information from the user to the shared query (col. 5, lines 40-52, lines 65-67 and col. 6, lines 1-14).

Given the teaching of Cullis, it would have been obvious to one of ordinary skill in the art to modify Gongwer by including additional information to the query allowing a user to choose articles ranked according to the searching activity of other clients.

As per claims 6 and 19, Gongwer discloses the invention substantially as claimed.

However, Gongwer does not explicitly disclose:

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- wherein the appending step further includes appending additional information comprising category, title or descriptive information.

Cullis discloses a method of organizing articles over the Internet including:

- wherein the appending step further includes appending additional information comprising category, title or descriptive information (col. 5, lines 40-52, lines 65-67 and col. 6, lines 1-14).

Given the teaching of Cullis, it would have been obvious to one of ordinary skill in the art to modify Gongwer by including additional information to the query allowing a user to choose articles ranked according to the searching activity of other clients.

5. Claims **9-11** and **21** rejected under 35 U.S.C. 103(a) as being unpatentable over Gongwer in view of Jaquith et al (hereinafter, "Jaquith", 6,549,941).

As per claims **9** and **21**, Gongwer discloses a method of sharing queries in a hub processing unit coupled to a plurality of client information processing units over a network, the method on the hub processing unit comprising the steps of:

- receiving a query selected for sharing by a user of a client information processing system (col. 1, lines 45-67 and col. 2, lines 1-18);
- storing the query (col. 3, lines 36-55);
- processing the search requests (col. 1, lines 45-67 and col. 2, lines 1-18);

However, Gongwer does not explicitly disclose:

- capturing search requests for shared queries entered by a second user;

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- upon finding an interesting shared query by the second user, performing the further sub-steps of:
  - a. activating a hyperlink to request a search result set upon user selection of the hyperlink; and
  - b. displaying the search results set for a user's review.

Jaquith discloses a client program that operates in conjunction with a metadata server to capture form data submitted to a website including:

- capturing search requests for shared queries entered by a second user (abstract, col. 4, lines 10-26);
- upon finding an interesting shared query by the second user, performing the further sub-steps of:
  - a. activating a hyperlink to request a search result set upon user selection of the hyperlink (col. 5, lines 13-52); and
  - b. displaying the search results set for a user's review (col. 5, lines 13-67 and col. 6, lines 1-15).

Given the teaching of Jaquith, it would have been obvious to one of ordinary skill in the art to modify Gongwer by including a client program in order to capture search requests by clients sharing the same query allowing the clients to view the results from the queries submitted by each other.

As per claim 10, Gongwer discloses the invention substantially as claimed.

However, Gongwer does not explicitly disclose:



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- wherein the capturing step further comprises capturing searches made through headlines for documents.

Jaquith discloses a client program that operates in conjunction with a metadata server to capture form data submitted to a website including:

- wherein the capturing step further comprises capturing searches made through headlines for documents (abstract, col. 4 ,lines 10-26).

Given the teaching of Jacquith, it would have been obvious to one of ordinary skill in the art to modify Gongwer by including a client program in order to capture search requests by clients sharing the same query allowing the clients to view the results from the queries submitted by each other.

As per claim 11, Gongwer discloses:

- wherein the receiving step further includes a sub-step of validating a received query string (col. 1, lines 45-67 and col. 2, lines 1-18).

6. Claims 12 and 13 rejected under 35 U.S.C. 103(a) as being unpatentable over Gongwer in view of Jacquith and in further view of Cullis.

As per claim 12, Gongwer in view of Jacquith discloses the invention substantially as claimed.

However, Gongwer in view of Jacquith does not explicitly disclose:

- a step of awarding at least one of reward and points for at least one query submission by a user.

Cullis discloses a method of organizing articles over the Internet including:

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- a step of awarding at least one of reward and points for at least one query submission by a user (col. 4, lines 60-67, col. 5, lines 1-9 and col. 6, lines 25-65).

Given the teaching of Cullis, it would have been obvious to one of ordinary skill in the art to modify Gongwer in view of Jaquith by allowing a user receive points for query submission in order to review the search results (articles) and choose articles ranked according to the searching activity of other clients.

As per claim **13**, Gongwer in view of Jaquith discloses the invention substantially as claimed.

However, Gongwer in view of Jaquith does not explicitly disclose:

- wherein the awarding step further comprises notifying an accounting manager of the query submission.

Cullis discloses a method of organizing articles over the Internet including:

- wherein the awarding step further comprises notifying an accounting manager of the query submission (col. 4, lines 60-67, col. 5, lines 1-9 and col. 6, lines 25-65).

Given the teaching of Cullis, it would have been obvious to one of ordinary skill in the art to modify Gongwer in view of Jaquith by allowing a user receive points for query submission in order to review the search results (articles) and choose articles ranked according to the searching activity of other clients.

### ***Response to Arguments***

7. Applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection.

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The Office notes the following arguments:

(a) Black discloses a query grid display for simplifying search queries to databases, such as financial databases. During the construction of the query grid, the user can save for future use by the identical user. In the words of Black at col. 4, lines 54-65.

(b) The present invention teaches sharing queries between a first user and a second user by “forwarding the query to a hub processing unit in the event that the first user selects the query for sharing with a second user connected to the hub processing unit. The present invention allows a second user to benefit from the time consuming task of formulating a query from the first user. This type of sharing formulated queries between multiple users is nowhere taught or discloses by Black.

(c) Black teaches a single user building easy to articulate queries using query grids and ask me values, which the identical user can use to save search results in a reuse tool. The reuse tool permits the identical use to reuse his/her own queries.

(d) The reuse of queries as taught by Black are not shared across multiple users.

(e) Because the elements in independent claims 1, 9, 12, 21, and 22 of “the first user selects query for sharing with a second user connected to the hub processing unit” is not taught or discloses by Black. The method and apparatus of Black explicitly teaches an individual user saving searches for later use by the identical user. Accordingly to the present invention distinguishes over Black for at least this reason.

(f) Independent claims 1, 9, 14, 21, and 22 have been amended to distinguish over Black. Claims 2-8, 10-13 and 15-21 depends from claims 1, 9 and 14 respectively, since dependent claims

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contain all limitations of the independent claims. Claims 2-8, 10-13 and 15-21 distinguish over Black, as well.

(g) Examiner rejected claims 12 and 13 under Black on pages 4 and 5 of the Office Action. The Examiner points to Black at col. 7, lines 20-32. The Applicant is hard pressed to understand how a comparison pan is at germane or related to claims 12 and 13.

In considering (a)-(g), Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,169,986 to Bowman et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaShonda T. Jacobs whose telephone number is 703-305-7494. The examiner can normally be reached on 8:30 AM - 5:00 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 703-308-7562. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

LaShonda T. Jacobs  
Examiner  
Art Unit 2157

ltj  
October 30, 2003

  
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